

### **REMARKS**

Claims 2-5, 7-12, 14 and 25-43 are pending in this application. Claims 1, 6, 13 and 15-24 were previously cancelled without prejudice or disclaimer. Claims 2-5, 7, 9-12, 14, 26-34, 36-39, and 41-43 are amended and claims 8, 25, 35 and 40 are cancelled without prejudice or disclaimer herein.

Claims 5, 12, 29, 31 and 38 are independent.

Dependent claims 5, 11, 29, 31- 32, 38, and 40-41 stand objected to as dependent upon a rejected base claim, but are deemed to be allowable if rewritten in independent form. The Official Action inadvertently lists claims 5, 11, 31 and 40 both (i) as objected to due to dependency on a rejected base claim and (ii) as rejected over the prior art. Further to telephonic communications with the Examiner, it is understood that claims 5, 31 and 40 stand objected to, claim 11 stands rejected and claim 12, rather than claim 11, stands objected to due to dependency on a rejected base claim. Accordingly, claims 5, 12, 29, 31-32, 38, and 40-41 stand objected to as dependent upon a rejected base claim, but are deemed to be allowable if rewritten in independent form, and are amended above and listed below in accordance with this understanding.

Each of claims 5, 12, 29, 31, and 38 is rewritten in independent form so as to include all limitations previously included in its rejected base claim(s). Rejected base claims 8, 25 and 35 are accordingly cancelled, and the parentage of dependant claims 2-4, 7, 9-11, 14, 26-28, 30, 32-34, 36-37, 39 and 41-43 are amended in view of the cancellation of claims 8, 25 and 35. Dependant claim 40 is cancelled as unnecessary.

Claims 2-3, 7-10, 14, 25-28, 30, 33-37, 39, and 42-43 stand rejected under 35 U.S.C. §103(a) as obvious over previously applied Chung et al (US 6,877,096). Claims 4 and 11 stand rejected under 35 U.S.C. §103(a) as obvious over previously applied Chung et al (US Patent 6,877,096), in view of previously applied Nakamura (US Patent 6,468,162). The rejections are moot in view of the amendments made herein.

Claims 2-5, 7-12, 14, and 25-43 of the present application stand rejected on the ground of non-statutory obviousness-type double patenting over claims 1-19 of U.S. Patent No. 7,001,276. Claims 8, 25, 35 and 40 are cancelled, and accordingly the

rejection is moot with respect to these claims. A terminal disclaimer is concurrently filed herewith to address the non-statutory double patenting rejection of the other rejected claims.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed local telephone number, in order to expedite resolution of any remaining issues and further to expedite passage of the application to issue, if any further comments, questions or suggestions arise in connection with the application.

To the extent necessary, Applicants petition for an extension of time under 37 CFR § 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Deposit Account No. 01-2135 (Case No. 1227.43062X00) and please credit any excess fees to such Deposit Account.

Respectfully submitted,  
ANTONELLI, TERRY, STOUT & KRAUS, LLP

/Alfred A. Stadnicki/

Alfred A. Stadnicki  
Registration No. 30,226

1300 North Seventeenth Street  
Suite 1800  
Arlington, VA 22209  
Tel.: 703-312-6600  
Fax.: 703-312-6666

AAS/kbl